

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

United States District Court
Southern District of Texas
FILED

MAR 30 2010

UNITED STATES OF AMERICA

v.

BELEAL GARCIA-GONZALEZ

ELIZABETH MENDEZ-VASQUEZ

MARIA LUISA VASQUEZ-GARCIA

CESAR ENRIQUE SARMIENTO-

MENDOZA

JENNY BEATRIS PARADA-PONCE

a/k/a "BARNEY"

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Clerk of Court

Criminal No. M-10-134-S1

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendant

BELEAL GARCIA-GONZALEZ

in and affecting interstate and foreign commerce, did knowingly recruit, entice, harbor, transport, provide, obtain, and maintain by any means C.M.V.M., a minor child, under 18 years of age, knowing and in reckless disregard of the fact that means of force, threats of force, fraud, and coercion would be used to cause C.M.V.M. to engage in a commercial sex act.

In violation of Title 18, United States Code, Sections 1591(a)(1), and 1591(b)(1).

Count Two

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendant

BELEAL GARCIA-GONZALEZ

in and affecting interstate and foreign commerce, did knowingly recruit, entice, harbor, transport, provide, obtain, and maintain by any means D.L.C.V., a minor child, under 18 years of age, knowing

and in reckless disregard of the fact that means of force, threats of force, fraud, and coercion would be used to cause D.L.C.V. to engage in a commercial sex act.

In violation of Title 18, United States Code, Sections 1591(a)(1), and 1591(b)(1).

Count Three

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendant

BELEAL GARCIA-GONZALEZ

in and affecting interstate and foreign commerce, did knowingly recruit, entice, harbor, transport, provide, obtain, and maintain by any means B.Y.C.V., a minor child, under 18 years of age, knowing and in reckless disregard of the fact that means of force, threats of force, fraud, and coercion would be used to cause B.Y.C.V. to engage in a commercial sex act.

In violation of Title 18, United States Code, Sections 1591(a)(1), and 1591(b)(1).

Count Four

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
ELIZABETH MENDEZ-VASQUEZ,
MARIA LUISA VASQUEZ-GARCIA,
CESAR ENRIQUE SARMIENTO-MENDOZA
and
JENNY BEATRIS PARADA-PONCE
a/k/a "BARNEY"**

knowing and in reckless disregard of the fact that individuals who were aliens had come to, entered and remained in the United States in violation of law, did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors to knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection, said aliens in any building or means of transportation, to wit: in a house in Mission, Texas, and in a bar in Mission, Texas.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(v)(I), 1324(a)(1)(A)(iii), and 1324(a)(1)(B)(i).

Count Five

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
ELIZABETH MENDEZ-VASQUEZ
and
JENNY BEATRIS PARADA-PONCE
a/k/a "BARNEY"**

knowing and in reckless disregard of the fact that C.M.V.M. , a minor child, was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection said alien in a house in Mission, Texas for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(1)(B)(i), and 1324(a)(1)(A)(v)(II).

Count Six

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
ELIZABETH MENDEZ-VASQUEZ
and
JENNY BEATRIS PARADA-PONCE
a/k/a "BARNEY"**

knowing and in reckless disregard of the fact that D.L.C.V., a minor child, was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection said alien in a house in Mission, Texas for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(1)(B)(i), and

1324(a)(1)(A)(v)(II).

Count Seven

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
ELIZABETH MENDEZ-VASQUEZ
and
JENNY BEATRIS PARADA-PONCE
a/k/a "BARNEY"**

knowing and in reckless disregard of the fact that B.Y.C.V., a minor child, was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection said alien in a house in Mission, Texas for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(1)(B)(i), and 1324(a)(1)(A)(v)(II).

Count Eight

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
MARIA LUISA VASQUEZ-GARCIA
and
CESAR ENRIQUE SARMIENTO-MENDOZA**

knowing and in reckless disregard of the fact that C.M.V.M , a minor child, was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection said alien in a bar in Mission, Texas for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(1)(B)(i), and 1324(a)(1)(A)(v)(II).

Count Nine

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
MARIA LUISA VASQUEZ-GARCIA
and
CESAR ENRIQUE SARMIENTO-MENDOZA**

knowing and in reckless disregard of the fact that D.L.C.V., a minor child, was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection said alien in a bar in Mission, Texas for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(1)(B)(i), and 1324(a)(1)(A)(v)(II).

Count Ten

From on or about November 2009 until on or about January 13, 2010, in the Southern District of Texas and within the jurisdiction of the Court, defendants

**BELEAL GARCIA-GONZALEZ,
MARIA LUISA VASQUEZ-GARCIA
and
CESAR ENRIQUE SARMIENTO-MENDOZA**

knowing and in reckless disregard of the fact that B.Y.C.V., a minor child, was an alien who had come to, entered, and remained in the United States in violation of law, did knowingly conceal, harbor, and shield from detection and attempt to conceal, harbor, and shield from detection said alien in a bar in Mission, Texas for the purpose of commercial advantage and private financial gain.

In violation of Title 8, United States Code, Sections 1324(a)(1)(A)(iii), 1324(a)(1)(B)(i), and 1324(a)(1)(A)(v)(II).

Count Eleven

On or about March 26, 2010, in the Southern District of Texas and within the jurisdiction

of the Court, defendant

JENNY BEATRIS PARADA-PONCE
a/k/a "BARNEY"

an alien who had previously been denied admission, excluded, deported and removed, knowingly and unlawfully was present in the United States having been found near Palmview, Texas, said defendant not having obtained the consent to reapply for admission into the United States from the Attorney General of the United States and Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557.

In violation of Title 8, United States Code, Sections 1326(a) and 1326(b).

NOTICE OF FORFEITURE

As a result of the foregoing violations of Title 18, United States Code, Section 1591, defendant

BELEAL GARCIA-GONZALEZ

shall forfeit to the United States pursuant to Title 18, United States Code, Section 1594, all of his interest in all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of said violations, as well as all of their interest in all property used or intended to be used to commit or to facilitate the commission of said violations, including but not limited to the real property described as

Lot eight (8) Randolph-Barnette Subdivision, unit No. 1, being a resubdivision of the south 5.0 acres of lot 32, New Caldonia Unit No. 1, Hidalgo County, Texas, as recorded on Volume 22, Page 38, map and plat records Hidalgo County, Texas, being that property described in Warranty Deed 1506116 in the deed records of Hidalgo County, Texas.

If any property forfeitable by Title 18, United States Code, Section 1594, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to a third party;

- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States to seek forfeiture of any and all other property of said defendant as substitute assets for those properties whose forfeiture is impeded for the reasons (1), (2), (3), (4), or (5) described above.

A TRUE BILL

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FOREPERSON

JOSÉ ANGEL MORENO
UNITED STATES ATTORNEY

Kimberly Ann Leo
ASSISTANT UNITED STATES ATTORNEY